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CALENDAR

OF

HISTORICAL MANUSCRIPTS

IN THE OFFICE OF THE

SECRETARY OF STATE,

ALBANY, N. Y.

EDITED BY

E. B. O'CALLAGHAN.

ALBANY:
WEED, PARSONS AND COMPANY, PRINTERS
1865.

STATE OF NEW YORK.

IN SENATE.

ALBANY, *April* 24, 1863.

Resolved, That the Clerk of the Senate cause to be printed 500 copies of the Calendar to the Land Papers, from 1643 to 1803, and the Calendar to the Historical Manuscripts, from 1638 to 1801.

By order of the Senate,

JAS. TERWILLIGER, *Clerk*.

PART I.

DUTCH MANUSCRIPTS

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PREFACE.

On 24th April, 1863, on motion of the Hon. JOHN V. L. PRUYN, the Senate of the State of New York

Resolved, That the Clerk of the Senate cause to be printed 500 copies of the Calendar to the Land Papers from 1643 to 1803, and the Calendar to the Historical Manuscripts from 1638 to 1801.

In accordance with the above resolution, the Calendar to the Land Papers was printed and distributed at the last session of the Legislature, and the first part of the Calendar of the Historical Manuscripts in the Department of the Secretary of State is herewith submitted. It embraces the Records of the government whilst the Colony was in the possession of the Dutch.

This country having been resorted to for some years after its discovery, by private traders and companies of Holland, they established posts on the Island of Manhattan, at the Esopus, in the vicinity of the present city of Albany, and on the Delaware. Navigators in their service discovered the Connecticut river, explored the shores of the Sound, of the Atlantic and of the Delaware, and Dutch traders visited these coasts, bartering their commodities with the natives for beaver and other furs.

The country thus discovered and explored, extended from Chesapeake bay to Cape Cod, and was called NEW NETHERLAND.

Merchants in Holland possessing enterprise and capital were soon made familiar with the richness of this territory, the pleasantness of its waters and the fertility of its soil.

A vast commercial association to monopolize and control the entire trade between the Republic of the United Netherlands and America was organized, and the States-General, "finding by experience that without the mutual help, assistance and interposition of a general Company, the people designed from hence for those

Preamble to the Charter of the Dutch West India Company, 1621.

parts cannot properly be protected and maintained in their great risk, from pirates, extortion and otherwise, which will happen in so very long a voyage," incorporated it under the name and style of The West India Company.

This association had the exclusive right to trade to the countries of AMERICA, from Newfoundland to the Straits of Magellan, and within these limits, "to make contracts, engagements and alliances with the Princes and Natives of the countries comprehended therein, and also to build forts and fortifications there, to appoint and dismiss Governors, people for war, officers of justice and other public officers, for the preservation of the places, keeping good order, police and justice, and in like manner for the promotion of trade; and others again in their places to put as they, from the situation of affairs, shall see fit; advance the peopling of those fruitful and unsettled parts, and do all that the service of those countries and the profit and increase of trade shall require."

§ 2 of the Charter.

This Company consisted of five Chambers or Boards, which were distributed in different cities of the United Provinces. The principal one was located at Amsterdam, and to this was confided the care and superintendence of the Province of NEW NETHERLAND, the capital whereof was established on Manhattan island and called, after the parent city, *New Amsterdam.*

The government appointed to administer the affairs of the infant Colony, was composed of a Director-General and Council, who exercised Executive, Legislative and Judicial functions, having under them such officers as were requisite to carry out their orders. They regulated the trade of the country, and under their prudent and encouraging auspices, New Netherland ships frequented not only the neighboring colonies, but pushed their commerce to the Gulf of Mexico, the West Indies, Africa, France, Spain and Italy. They sent Ambassadors to other colonies and concluded treaties with some of them, and when the insolence of the neighboring Indians required to be checked, they declared war against them, and only made peace when that insolence was punished.

The Records of a government which thus introduced civilization, and founded Courts, Churches, Schools and similar institutions in our State, are, few will be bold enough to deny, deserving of every care and worthy of particular preservation. They are the ground work, the foundation stones of the History of the State of New York, and, if destroyed, the record evidence of its antiquity is irreparably lost.

These Records are, with the exception of two volumes of Delaware papers, all in the Dutch language, and constitute the original Records of the State from 1630 to 1664. They are deposited in the third story of the State Hall, and consist of twenty-three volumes of Manuscripts, viz.:

Register of Provincial Secretary's Office,	1638 to 1662,....	3 volumes.
Council Minutes,	1638 to 1665,....	7 volumes.
Correspondence,	1646 to 1664,....	5 volumes.
Ordinances, Writs and Fort Orange Records,	1647 to 1664,....	1 volume.
Curaçao papers,	1640 to 1665,....	1 volume.
Delaware papers,	1645 to 1681,....	4 volumes.
Land Papers, (Patents and Deeds,)	1630 to 1664,....	2 volumes.

These volumes, however, do not, unfortunately, embrace all the records of the government established by the Dutch West India Company in this country. Many are still wanting to render the collection complete.

The earliest paper we have is dated 12th July, 1630. This is a Land patent. We possess no Minutes of the Council prior to 1638, although reference is made in these manuscripts to the Book of Resolutions kept in the time of Director Van Twiller, who was governor of the colony from 1633 to 1638. Further and more careful examination has revealed additional gaps. The following is a list, so far as ascertained, of

MANUSCRIPTS WANTING TO COMPLETE THIS SERIES OF RECORDS.

Council Minutes, prior to 1638.

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Council Minutes, from 2d August, 1649, to January, 1652.

Council Minutes, from June to September, 1652.

Council Minutes, from May to November, 1653, with the exception of a few entries in August.

Resolutions relative to the arrest of George Baxter, James Hubbard and Thomas Wilcocke, of Gravesend, for sedition, in 1655, which were entered in a distinct Register.

Council Minutes, from 19th June, 1657, to 1st January, 1658.

Council Minutes for the whole of the year 1659.

Book into which petitions presented to the Council were transcribed *verbatim* and *in extenso*.

Letter Book, of which there remain three or four leaves.

Letters and journals of the transactions of the government with the neighboring English colonies, recorded in a particular volume and placed with the other English documents, of which copies had been transmitted to the directors at Amsterdam. There is now no such volume in the State department, although there are many English letters and some journals.

Letters and papers respecting the negotiations at Hartford with the English, preliminary to the treaty of 1650, determining the boundary between that colony and New Netherland. These, however, are printed in full in the second volume of Hazard's American State Papers.

Report of Director Stuyvesant's voyage to, and transactions in, the West Indies, in 1655.

The collection of Dutch MSS., notwithstanding these drawbacks, is, it will be seen, quite voluminous and exceedingly valuable. It is the only authentic original record in the department from which we can learn the state of Society, Religion and Education; the system of Government in the Colony and the Laws to which the colonists were subject two hundred years ago. It contains the original Patents for lands granted after 1630, including those to the Patroons of New Netherland, whereof so much has been heard in these days. In Indian archæology alone, it cannot fail to be of the greatest interest, as it furnishes reliable evidence of the condition at that early period of the native tribes of Long island, the Hudson river and Western New York, the course of their war expeditions, and the extent to which the Indian title to lands had been extinguished prior to the advent of the English to these parts.

The series thus divides itself into two classes; one relating to Titles of Real Estate,—the other, to the Administration of justice and of the government in general; the enactment of Laws; the introduction of Municipal Institutions; erection of Towns and establishment of Local Courts and Magistrates; the internal and external policy of the Colony; its correspondence with Fatherland and with the neighboring American Provinces, and its various wars with the Aborigines.

The Papers of the latter class are considered purely Historical, and in order to render them available to modern writers, require a thorough and correct translation.

In the year 1815, the legislature authorized a translation of them to be made. It was begun in 1818 and completed in 1822. A careful examination of that work, page with page of the original, whilst preparing this Calendar, has satisfied me that the translation is, in many places, not only incorrect and unreliable but incomplete, several parts and pages of the original having been left untranslated. Grave mistakes have been the consequence, much to the regret and annoyance of gentlemen engaged in the labor of historical research. Furthermore, the language of the translation has certainly not been drawn from

"The well of English pure and undefiled,"

as all admit who have had occasion to consult the work. For all these reasons, the documents, purely historical, ought to be translated anew.

In preparing the present Volume, it is proper to state that we have taken as a model, as far as circumstances permitted, the CALENDAR *of State Papers, Colonial Series, preserved in the State Department of Her Majesty's Public Record Office, Edited by* W. NOEL SAINSBURY, *Esq., under the direction of the Master of the Rolls, and with the sanction of Her*

Majesty's Secretary of State for the Colonial Department, London, 1860. This plan will be continued in the future parts of this work.

In order to facilitate references, and to enable those who desire to consult any of these papers, the indorsement on, and the number of, the volume are noted at the head of the Calendar of each. Every pains have been taken to discover if any of the papers are already in print, and when such has been found to be the case, the Title of the work, the Volume and page where it is printed, have been subjoined. By this means some trouble, it is hoped, will be saved to Members of Historical Societies and others at a distance from the Capital of the State.

A very full Index of the names of persons and places and of subjects of general interest, such as Laws, Churches, Schools, Land papers, &c., will be found at the end of the Volume. This addition cannot fail to add to the value of the work.

March, 1865.

DUTCH MANUSCRIPTS.

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Sept. 30. Court proceedings. Sentence on Jan Gysbertsen, of Rotterdam (a fugitive from justice), for the murder of Gerrit Jansen, gunner, on the 15th May, 1638; accused, whenever apprehended, is to be punished by the sword until he is dead, his property confiscated, and his wages paid, one-half to the widow or heirs of the deceased, one-fourth to the company, and the remainder to the public prosecutor (see vol. 1, pp. 36, 37, *supra*), ... 19

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